

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Joshua Fordham

Case No.

Case: 2:23-mj-30100

Assigned To : Unassigned

Assign. Date : 3/10/2023

Description: SEALED MATTER (LH)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 8, 2023 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 922(g)

Felon in Possession of a Firearm

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: March 10, 2023

City and state: Detroit, MI

*Complainant's signature*

Neil Gavin, Special Agent, FBI

Printed name and title*Judge's signature*

Hon. Anthony P. Patti, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Neil Gavin, having been duly sworn, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been so employed since March 2004. I have experience in the investigation, apprehension, and prosecution of individuals involved in federal criminal offenses. I am currently assigned to the Detroit FBI Violent Gang Task Force (“VGTF”) and conduct investigations into street gangs committing various violations of federal law, to include narcotics and weapons trafficking and violent crime. Prior to my current assignment, I was assigned to the Kansas City FBI where I conducted investigations involving narcotics and weapons trafficking, violent gangs, and violent crime. For most of my career, I have conducted investigations into violent street gangs. I have experience investigating gangs and the violations of federal law associated with gang-related crime. These violations include narcotics trafficking, weapons trafficking, violent crimes such as assaults and murders, and other crimes related to racketeering enterprises.

2. This affidavit is being submitted in support of a criminal complaint alleging that JOSHUA FORDHAM has violated 18 U.S.C. § 922(g) (Felon in Possession of a Firearm).

3. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging FORDHAM with the above-listed violation, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe the defendant committed the offense alleged in the complaint.

4. On February 8, 2023, at approximately 9:53p.m., Shot-Spotter detected three rounds fired in the parking lot of Carmen's Delicatessen in Detroit, Michigan. Detroit police officers responded and were flagged down by two individuals whose real identities are known to law enforcement. Individual #1 approached officers with his hands over his head and notified them that he has a concealed pistol license. Individual #1 told officers that he was the victim of a robbery outside of the store and fired a shot from his weapon in self-defense after handing the robber his wallet.

5. Individual #1 explained the following. He and Individual #2 went to the store that night. While at the store, he saw an old man and a young man outside of the store talking. When he and Individual #2 entered the store, the two men followed them. After Individual #1 and Individual #2 left the store, they walked to their car in the parking lot. The young man followed them and started an argument

with the individuals. The young man threatened to kill Individual #2 if Individual #1 did not give the young man everything he had. At that point, Individual #1 handed the young man his wallet. The young man had a black, semi-automatic handgun in one hand and patted Individual #1 down with the other. While the young man was patting Individual #1 down, Individual #1 pulled out his own firearm and fired a shot. The young man was wearing a blue Detroit Lions jacket and ski mask.

6. When Detroit police officers responded to the scene, an officer found FORDHAM lying on the ground on the west side of the building with a gunshot wound to his chest. The officer also saw a black, loaded handgun, which appeared to have suffered a malfunction, on the ground nearby. The officer retrieved a wallet from FORDHAM's belongings, which contained Individual #1's identification.

7. On February 9, 2023, Detroit police officers reviewed surveillance footage from the store and reported that it depicts the following. FORDHAM, who is wearing a Detroit lions jacket and black ski mask, follows Individual #1 to his car, where they appear to argue. During the exchange, FORDHAM pulls a black handgun from his jacket pocket and appears to point it at Individual #2 and shout at Individual #1. Individual #1 then hands FORDHAM his wallet, and FORDHAM pats Individual #1 down while motioning the gun towards Individual #1's head.

During the pat down, Individual #1 pulls a firearm from his right hip area and fires a shot at FORDHAM's chest. In reaction, FORDHAM points his gun at Individual #1. The men then run in separate directions.

8. The firearm found near FORDHAM was a Ruger, P95DC, bearing serial number 315-40160. On March 9, 2023, Special Agent Michael Jacobs, an interstate nexus expert with the Bureau of Alcohol, Tobacco, and Firearms, reviewed a photograph of the Ruger firearm and advised that it is a firearm as defined under 18 U.S.C. § 921 and was manufactured outside the State of Michigan, and therefore has traveled in or affected interstate commerce.

9. Before February 8, 2023, FORDHAM was convicted of a felony offense, which carries a maximum penalty of over one year in prison. Specifically, in March 2014, FORDHAM plead guilty to Armed Robbery and Weapons Felony Firearm in Case No. 13-010735 in the Third Circuit Judicial Court in Wayne County, Michigan. FORDHAM was sentenced to five to 15 years in prison for the Armed Robbery offense, and two years in prison for the Weapons Felony Firearm offense. Accordingly, there is probable cause to believe that on February 8, 2023, FORDHAM knew that he had previously been convicted of a crime punishable by more than one year in prison.

10. Based on the above, there is probable cause to believe that on February 8, 2023, FORDHAM unlawfully possessed a firearm, in violation of 18 U.S.C. § 922(g).

Respectfully submitted,



Neil Gavin
Special Agent, FBI

Sworn to before me and signed in my presence and/or by reliable electronic means.



HONORABLE ANTHONY P. PATTI
United States Magistrate Judge

Date: March 10, 2023